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GEORGE W. ABBOTT

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CIVIL APPEALS DOCKETING STATEMENT

INTERNAL USE ONLY

PLEASE TYPE OR PRINT. ATTACH ADDITIONAL PAGES IF NECESSARY.

TITLE IN FULL

GERALD ARMSTRONG,
Plaintiff - Appellee,
v.
CHURCH OF SCIENTOLOGY INTERNATIONAL, a California corporation; RELIGIOUS TECHNOLOGY CENTER, a California corporation,
Defendants - Appellants.

DISTRICT: Nevada JUDGE: Hon. Edward C. Reed, Jr.

DATE COMPLAINT FILED: 10/14/97 DISTRICT COURT DOCKET NUMBER: CV-N-97-00670-ECR

DATE NOTICE OF APPEAL FILED: 02/05/99 IS THIS A CROSS APPEAL? ___ YES _X_ NO

HAS THIS MATTER BEEN BEFORE THIS COURT PREVIOUSLY? ___ YES ___ NO
IF YES, STATE WHEN:

CASE NAME:

CITATION: DOCKET NUMBER:

CHECK AS MANY AS APPLY

JURISDICTION		DISTRICT COURT DISPOSITION		
1. FEDERAL	2. APPELLATE	1. STAGE OF PROCEEDING	2. TYPE OF JUDGMENT/ ORDER APPEALED	3. RELIEF
[ ] FEDERAL QUESTION [X] DIVERSITY [ ] OTHER (SPECIFY)	[ ] FINAL DECISION OF DISTRICT COURT [X] INTERLOCUTORY DECISION APPEALABLE AS OF RIGHT [ ] INTERLOCUTORY ORDER CERTIFIED BY DISTRICT JUDGE (SPECIFY) [ ] OTHER (SPECIFY)	[X] PRE-TRIAL [ ] DURING TRIAL [ ] AFTER TRIAL	[ ] DEFAULT JUDGMENT [X] JUDGMENT/COURT DECISION [ ] DISMISSAL/JURISDICTION [ ] JUDGMENT/JURY VERDICT [ ] DISMISSAL/MERITS [ ] SUMMARY JUDGMENT [ ] JUDGMENT NOV [ ] DECLARATORY JUDGMENT [ ] DIRECTED VERDICT [ ] OTHER (SPECIFY)	[X] DAMAGES AMOUNT SOUGHT $50,000.00 AMOUNT [ ] GRANTED [X] DENIED $_____ [ ] INJUNCTIONS [ ] PRELIMINARY OR [ ] PERMANENT [ ] GRANTED OR [ ] DENIED

BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW:

Appeal from denial of motion for attorney's fees.

ISSUES PROPOSED TO BE RAISED ON APPEAL

Was the district court order denying defendants' motion for attorneys' fees clearly erroneous?

BASED ON YOUR PRESENT KNOWLEDGE:

1. Does this appeal involve a question of first Impression? _____ Yes __X__ No

2. Will the determination of this appeal turn on the interpretation or application of a particular case or statute? __X__ Yes _____ No
If yes, provide:

Case name/statute 28 USC Sec. 1927

Citation: _____
Docket number, if unreported: _____

3. Is there any case now pending or about to be filed in this court or any other court or administrative agency which:

a) Arises from substantially the same case or controversy as this appeal?
__X__ Yes _____ No

b) Involves an issue heat is substantially the same, similar or related to an issue in this appeal?
__X__ Yes _____ No

Case name: Armstrong v. Church of Scientology, International, et al.
Citation: _____
Court or agency: U.S. District Court
Docket number, if unreported: CV-N-97-00670-ECR

4. Will this appeal involve a conflict of law within the Ninth Circuit?
_____ Yes __X__ No

Among circuits? _____ Yes __X__ No
If yes, explain briefly:

DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING:

___ Possibility of settlement;

___ Likelihood of a motion to expedite the appeal;

___ Multiple parties on either side for whom join briefing is possible;

___ Likelihood of motions to intervene on appeal;

___ Likelihood of motions to file amicus briefs;

___ Likelihood of motions to stay appeal pending resolution of a related case. Identify case name, docket number and court or agency:

___ Other procedural complexities:

COUNSEL FOR APPELLANT(S):

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I CERTIFY THAT A COPY OF THIS CIVIL APPEALS DOCKETING STATEMENT WAS SUBMITTED TO THE CLERK OF THE DISTRICT COURT OR THE CLERK OF THE U.S. COURT OF APPEALS, AND THAT IT WAS SERVED ON EACH PARTY/COUNSEL SHOWN ON THE ATTACHED SERVICE LIST

SIGNATURE _____ DATE _____

REMEMBER TO ATTACH COPIES OF ORDER/JUDGMENT APPEALED FROM AND SERVICE LIST WITH TELEPHONE NUMBERS

SERVICE LIST

United States Court of Appeals for the Ninth Circuit

CA NO. 99-15203

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